

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

ROSCOE BENNY SHARPE, JR.,

Plaintiff,

v.

KEITH EUTSEY,

Defendant.

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Civil Action No. 5:09-CV-255 (HL)

ORDER

The Recommendation of United States Magistrate Judge Claude W. Hicks Jr., entered April 28, 2010 (Doc. 19), is before the Court. The Magistrate Judge recommends that Defendant Eutsey's Motion to Dismiss (Doc. 19) be granted and this action dismissed. Plaintiff has filed an objection (Doc. 20) to the Recommendation.

After making a *de novo* review of the Recommendation and considering the objection, the Court finds that the objection has no merit. Accordingly, the Court accepts and adopts the findings, conclusions, and recommendation of the Magistrate Judge. Defendant Eutsey's Motion to Dismiss (Doc. 12) is granted, and this action is dismissed.

SO ORDERED, this the 28th day of May, 2010.

s/ Hugh Lawson

HUGH LAWSON, SENIOR JUDGE

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